

UNITED STATES DISTRICT COURT

for the

Eastern District of North Carolina

United States of America

v.

Rodney Earl Risper

Case No: 5:97-CR-134-1BR

USM No: 32651-037

Date of Original Judgment: March 11, 1998

Date of Previous Amended Judgment: June 11, 2010

(Use Date of Last Amended Judgment if Any)

Samuel J. Randall, IV

Defendant's Attorney

ORDER REGARDING MOTION FOR SENTENCE REDUCTION PURSUANT TO 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the policy statement set forth at USSG §1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (*as reflected in the last judgment issued*) of 168 months **is reduced to** 135 months as to Count 1 only*

*Count 5 remains 60 months, consecutive to Count 1.

If the amount of time the defendant has already served exceeds this sentence, the sentence is reduced to a "Time Served" served sentence, subject to an additional period of up to ten (10) days for administrative purpose of releasing the defendant.

(Complete Parts I and II of Page 2 when motion is granted)

Except as otherwise provided, all provisions of the judgment(s) dated March 11, 1998, shall remain in effect. **IT IS SO ORDERED**.

Order Date: 11/9/2011

Effective Date: _____
(if different from order date)

W. Earl Britt, Senior U.S. District Judge

Printed name and title